

Message Text

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51

ACTION AF-18

INFO OCT-01 EUR-25 ADP-00 H-02 CIAE-00 DODE-00 INR-10

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FM AMEMBASSY TUNIS

TO SECSTATE WASHDC 2362

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C O R R E C T E D COPY (FOR MRN 3714 VICE 00714)

E. O. 11652: NA

TAGS: PGOV, PINT, TS

SUBJ: MESTIRI LOSES SEAT IN NATIONAL ASSEMBLY

1. ON JUNE 26, NATIONAL ASSEMBLY, AFTER ALMOST FIVE-HOUR DEBATE, ADOPTED LAW RE- ESTABLISHING ARTICLE 109 OF ELECTORAL CODE WHICH REMOVES FROM NATIONAL ASSEMBLY ANY DEPUTY WHO HAS BEEN EXPELLED FROM PARTY WHICH ELECTED HIM. IMMEDIATE EFFECT OF THIS NEW LAW IS TO REMOVE AHMED MESTIRI FROM ASSEMBLY EVEN THOUGH HE WAS EXPELLED FROM THE PARTY BEFORE LAW ADOPTED. EFFORT BY FEW DEPUTIES TO GET POSTPONEMENT OF DEBATE IN FRAMEWORK OF CONSTITUTIONAL REVISION ON GROUNDS THAT ARTICLE MAY BE IN CONTRADICTION WHICH CONSTITUTION WERE DENIED BY PRESIDENT OF NATIONAL ASSEMBLY PRIOR TO PUTTING ARTICLE TO VOTE. PM NOUIRA MADE BRIEF INTERVENTION AT CLOSE OF DEBATE TO STRESS THAT DEPUTIES ARE TIED TO THE PARTY BY MORAL AND POLITICAL CONTRACT. ONLY FIVE " LIBERAL " DEPUTIES VOTED AGAINST AMENDMENT (MESTIRI, ABDERRAZAK RASSAA, RIDHA M' RAD, EZZEDDINE BEN ACHOUR AND MOHAMED SALAH BEL HADJ). BEJI CAID ESSEBSI REPORTEDLY ABSTAINED AFTER HIS PROPOSAL FOR POSTPONEMENT WAS DENIED.

2. COMMENT: FACT THAT ASSEMBLY ADOPTED THIS AMENDMENT
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WHICH HAD BEEN PART OF ELECTORAL CODE FROM 1969 TO
NOVEMBER 1971 NOT SURPRISING AFTER BOURGUIBA HAD CALLED
FOR ITS ENACTMENT IN HIS MARCH 27 SPEECH. STILL NOT
CLEAR IF PERSONS WHO HAVE RESIGNED FROM PARTY OR WHO HAVE
NEVER JOINED PARTY ALSO COVERED BY THIS ARTICLE. IN ANY
EVENT, THERE NOW AT LEAST THREE VACANCIES WHICH MUST BE
FILLED BEFORE OCTOBER SESSION. ADOPTION OF THIS ARTICLE
SHOULD PAVE WAY FOR RAPID REVISION OF CONSTITUTION
ALONG LINES BOURGUIBA PROPOSES, PROBABLY IN THE FALL OF
1973. LONG- TERM EFFECT OF CHANGE MAY BE TO SPUR CREATION
OF ONE OR MORE RIVAL PARTIES, PERHAPS EVEN BEFORE POST-
BOURGUIBA PERIOD.
RELPH

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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